

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS PRODUCTS
LIABILITY LITIGATION

No. 2:15-MD-02641-DGC

**PLAINTIFF'S FIRST AMENDED
SHORT FORM COMPLAINT FOR
DAMAGES FOR INDIVIDUAL
CLAIMS AND DEMAND FOR
JURY TRIAL**

Plaintiff(s) named below, for their Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

10 Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

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at the time of implant:

3

4 6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

10 8. Defendants (check Defendants against whom Complaint is made):

11 C.R. Bard Inc.

12 □ Bard Peripheral Vascular, Inc.

13 9. Basis of Jurisdiction:

14 □ Diversity of Citizenship

15 Other:

16 a. Other alleg

19

20 10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff

21 a claim (Check applicable Inferior V

- 1 G2® Vena Cava Filter
- 2 G2® Express Vena Cava Filter
- 3 G2® X Vena Cava Filter
- 4 Eclipse® Vena Cava Filter
- 5 Meridian® Vena Cava Filter
- 6 Denali® Vena Cava Filter
- 7 Other: _____

8 11. Date of Implantation as to each product:

9 _____
10 _____

11 12. Counts in the Master Complaint brought by Plaintiff(s):

- 12 Count I: Strict Products Liability – Manufacturing Defect
- 13 Count II: Strict Products Liability – Information Defect (Failure
14 to Warn)
- 15 Count III: Strict Products Liability – Design Defect
- 16 Count IV: Negligence – Design
- 17 Count V: Negligence – Manufacture
- 18 Count VI: Negligence – Failure to Recall/Retrofit
- 19 Count VII: Negligence – Failure to Warn
- 20 Count VIII: Negligent Misrepresentation
- 21 Count IX: Negligence *Per Se*
- 22 Count X: Breach of Express Warranty

- Count XI: Breach of Implied Warranty
- Count XII: Fraudulent Misrepresentation
- Count XIII: Fraudulent Concealment
- Count XIV: Violations of Applicable State Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
- Count XV: Loss of Consortium
- Count XVI: Wrongful Death
- Count XVII: Survival
- Punitive Damages

13. Jury Trial demanded for issues so triable?

Yes
 No

RESPECTFULLY SUBMITTED this 17th day of May, 2019.

**BLASINGAME, BURCH, GARRARD &
ASHLEY, P.C.**

/s/ Henry G. Garrard, III

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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of May, 2019, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Henry G. Garrard, III